

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 23, 2004**

DIVISION ONE

B171113      Spartan Funding Group et al.      (Not for Publication)  
                 v.  
                 Bleau et al.

The order is affirmed.

Spencer, P.J.

We concur:    Vogel (Miriam A.), J.  
                 Mallano, J.

B175475      Sincar et al.      (Not for Publication)  
                 v.  
                 New Masa Parnters, LLC

The order is affirmed.

Spencer, P.J.

We concur:    Vogel (Miriam A.), J.  
                 Mallano, J.

November 23, 2004 (Continued)

## DIVISION ONE (Continued)

B174346 People (Not for Publication)  
v.  
Foster

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.  
Mallano, J.

B170820 People (Not for Publication)  
v.  
Howard

We affirm the judgment.

Suzukawa, J. (Assigned)

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B175316 People (Not for Publication)  
v.  
Kim

The judgment is affirmed.

Suzukawa, J. (Assigned)

We concur: Spencer, P.J.  
Mallano, J.

November 23, 2004 (Continued)

DIVISION ONE (Continued)

B174975      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Roberta S.

The judgment (order terminating parental rights) is affirmed.

Suzukawa, J. (Assigned)

We concur:    Spencer, P.J.  
                 Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

Each of the following:

B169314 People v. Toland  
B173842 People v. Valverde

Argument waived, cause submitted.

B169895      Mineo  
                 v.  
                 Carr

Merits:

Argued by Daniel Carr in propria persona, and there being no appearance by respondent. Cause submitted.

## DIVISION TWO (Continued)

B169881      Slocum  
v.  
Carr

Merits:

Argued by Daniel Carr in propria persona, and there being no appearance by respondent. Cause submitted.

B170315      Wolver  
v.  
Rosenaur

Merits:

Argued by David Parker for appellant and by Derek Simpson for respondent. Cause submitted.

B167903      Cucco, et al.  
v.  
Spitzer

Merits:

Argued by Leland Whitney for appellants and by Roy Weatherup for respondent. Cause submitted.

Court adjourned.

## DIVISION THREE

B171143 Dana Plays (Not for Publication)  
v.  
Occidental College

The judgment is affirmed. Costs on appeal are awarded to Occidental College.

Kitching, J.

We concur: Klein, P.J.  
Aldrich, J.

## DIVISION FOUR

B169940      Bates et al.      (Certified for Publication)  
v.  
Franchise Tax Board et al.

The judgment of dismissal is affirmed as to the first 16 causes of action seeking damages. As to the 17th cause of action for injunctive relief, the judgment is reversed insofar as plaintiffs seek injunctive relief for violations of the IPA only. Plaintiffs and defendants are to bear their own costs on appeal.

Epstein, P.J.

We concur: Curry, J.  
Grimes, J. (Assigned)

## DIVISION SIX

B173127      People  
v.  
Hardin

Filed order denying petition for rehearing.

B169672 Hillcrest-Thousand Oaks Associates (Not for Publication)  
v.  
DSD Construction, Inc., et al.

The judgment is reversed. Costs on appeal are awarded to appellant.

Perren, J.

We concur:   Gilbert, P.J.  
                      Coffee, J.

DIVISION SEVEN

[illegible]

The judgment is reversed. Should the People choose to refile charges against defendant the trial court shall order the question of defendant's mental competence determined in a hearing pursuant to Penal Code sections 1368.1 and 1369.

Johnson, Acting P.J.

We concur: Woods, J.  
Zelon, J.

[illegible]

The juvenile court's order is reversed and the matter is remanded for further proceedings consistent with this opinion.

Johnson, J.

We concur: Perluss, P.J.  
Woods, J.

B170954 People (Not for Publication)  
v.  
Weatherford

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Woods, J.

DIVISION SEVEN (Continued)

B163111     Lowgren  
              v.  
              Landmark Realty Center

Filed order denying petition for rehearing.

DIVISION EIGHT

B163693     People  
              v.  
              Robinson et al.

Filed order denying petition for rehearing.